

MINUTES

MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN JOHN C. BOHLINGER**, on February 11, 2003 at 3:00 P.M., in Room 335 Capitol.

ROLL CALL

Members Present:

Sen. John C. Bohlinger, Chairman (R)
Sen. John Esp, Vice Chairman (R)
Sen. Jerry W. Black (R)
Sen. Brent R. Cromley (D)
Sen. Kelly Gebhardt (R)
Sen. Bill Glaser (R)
Sen. Rick Laible (R)
Sen. Jeff Mangan (D)
Sen. Carolyn Squires (D)
Sen. Mike Wheat (D)

Members Excused: Sen. Jim Elliott (D)

Members Absent: None.

Staff Present: Leanne Kurtz, Legislative Branch
Phoebe Olson, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: SB 325, 2/6/2003; SB 326, 2/6/2003
Executive Action: HB 94; SB 325; SB 288; SB 168; HB
238; SB 246; SB 191; SB 112

HEARING ON SB 325

Sponsor: SENATOR DAN MCGEE, SD 11, Laurel

Proponents:

Jim Kembel, Mt Association of Registered Land Surveyors
Tammy McGill, Stillwater County
Gordon Morris, MT Association of Counties
Linda Stoll, MT Association of Planners, Missoula County

Opponents:

None

Opening Statement by Sponsor:

SENATOR DAN MCGEE, SD 11, Laurel said there was a mistake made in 2001 in the drafting of 76-4-121. He said what was in code, was you must file a subdivision plat or certificate of survey before DEQ can issue their approval. The problem with that was it was a catch 22, because you have to have DEQ approval prior to filing the plat or certificate of survey. He maintained they wanted to go back to the previous language but the drafter said they could not do that. He reserved the right to close.

Proponents' Testimony:

Jim Kembel, Mt Association of Registered Land Surveyors said they were in support of the bill.

Tammy McGill, Stillwater County said since this legislation was changed, when you try to put in any kind of public facilities, you can not do that until the final plat is filed, which creates an increased amount of paper work, a lot of red tape, a lot of bureaucracy, and lot of time on both the planners, developers and professionals part. She thought this bill would help all groups that were effected by the first change.

Gordon Morris, MT Association of Counties thanked the sponsor for bringing the bill and he asked the committee for their favorable consideration.

Linda Stoll, MT Association of Planners, Missoula County said they wanted to be on record in support of SB 325.

Opponents' Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

SENATOR MCGEE said he closed.

HEARING ON SB 326

Sponsor: SENATOR DAN MCGEE, SD 11, Laurel

Proponents:

Forrest Sanderson, Flathead County
Ramona Mattix, Billings/Yellowstone Panning Department
Jerry Sorensen, Plum Creek Lumber
Tammy McGill, Stillwater County
Russ Crowder, Kalispell
Howard Gipe, Flathead County
Gordon Morris, MT Association of Counties
Jim Kembel, MT Association of Registered Land Surveyors
Cheryl Patton, City of Great Falls
Peggy Trenk, MT Association of Realtors
Byron Roberts, MT Building Industry Association

Opponents:

Tim Davis, Smart Growth Coalition
Jennifer Magic, Gallatin County
Linda Stoll, MT Association of Planners
Anne Hedges, MT Environmental Information Center

Opening Statement by Sponsor:

SENATOR DAN MCGEE, SD 11, Laurel said this was a revision to the growth policy act. He said it had become apparent there were issues that needed to be addressed in regard to the current status of the growth policy act. He said this bill was to clarify that growth policy was not required, it was not regulatory, it does not require a vote of the people, and that growth policy can be the same document as an existing master plan or similar planning document. He went through the sections of the bill. He

handed out an amendment to the bill. **EXHIBIT(1os30a01)** He explained why he thought on page 5, line 19, the word should be "may" and not shall. He maintained this was an important bill because of an attorney general's opinion that had made it hard for many local governments to develop or adopt growth policies. He said this bill would remove that problem by statutorily calling an existing planning document a growth policy. He said under the terms of this bill any local government with a duly adopted planning document is free to amend it's zoning and subdivision regulations. He said the planner from Flathead County had asked him to sponsor the bill. He sat down to let the proponents and opponents speak.

Proponents' Testimony:

Forrest Sanderson, Flathead County said he had contacted the Senator to bring the bill. He said he had lawsuits stacked up on changing subdivision regulations. He said he had thought this only effected new zoning. He expressed Flathead County's full support for the bill. He said it was important to remember that planning was locally driven. He hoped they would not tie their hands with legislative action. He said with that he would close and again expressed support for the bill.

Ramona Mattix, Billings/Yellowstone Panning Department said she did support the bill but had some concerns. She addressed those sections with the committee. She handed out **EXHIBIT(1os30a02)**. She reiterated that she liked allowing summary review for people who have growth policies, that way faster growing areas that want to have growth policies can do that. She suggested that the list of musts only be included in faster growing urban areas, defined by populations increase or density. She thanked the committee for their time.

Jerry Sorensen, Plum Creek Timber said he was the co-chairman of the Environmental Quality Council Committee that spent all the time putting together the growth policy legislation in the interim in 1998. He said he thought they had a great consensus group. He said they felt that planning was being done one subdivision at a time, so they wanted to switch the focus to actually doing planning in the state. He thought this should be a guide to what your community would do in the future, in terms of where growth should go, where water and sewer should go, where recreation facilities should be etc. He hoped that could lay out a framework that would give some predictability to how your community would grow. He thought there had been a lot of growth policies adopted in the state that he understood were very good. He maintained they wanted growth policies to have some level of consistency across the state. He said the problem was there

hadn't been enough time to let this work completely. He also thought local governments had been handicapped by lack of funding and the attorney general's opinion. He thought that could be corrected by extending the time counties have to do master plans. He thought there was a lot of good things in the bill. He said he had concerns about changing the requirements to a pick and choose laundry list. He thought middle ground could be found. He suggested some amendments to the bill. He said he supported the bill, but urged their consideration of how you look at the requirements so there could be a decent framework with some consistency across the state.

{Tape: 1; Side: B; Comments: turned tape over in middle of Mr. Sorensen's testimony.}

Tammy McGill, Stillwater County said when growth policy was first brought to them, and when they first heard about it, they understood it to be enabling legislation. She said they understood it would help them to get money from different grant programs. She said the attorney general's opinion had changed that perspective. She said their master plan in Stillwater county was very compliant with this regulation but it was called a master plan. She said they were very supportive of section one of this bill so they would not have to go through they whole process again to make their master plan a growth policy document. She went through some of the sections she thought could use some amendments. She thanked the committee.

Russ Crowder, Kalispell said he was in favor of the bill. He disagreed with Mr. Sorensen, because he thought one of the advantages of master plans was the fact they were so varied. He said that gave local governments a lot of options. He said he thought the governments closest to the people were the best. He thought growth policy had removed those options. He said growth policy was very complex and had allowed out of state organizations to bring lawsuits to stop projects. He said the bill was not perfect, but he believed it did to a large extent return local control, he encouraged their support.

Howard Gipe, Flathead County said he would not repeat previous testimony. He said what may be important in some counties was different in other counties. He said they were certainly in favor of local options. He said they strongly supported the bill.

Gordon Morris, MT Association of Counties said that the land use planning committee of his association had met, and on review of SB 326, were in support of the bill with the amendments the sponsor had brought forth.

Jim Kembel, MT Association of Registered Land Surveyors said they were in support of the legislation.

Cheryl Patton, City of Great Falls said they were in support of the bill with the amendment proposed.

Peggy Trenk, MT Association of Realtors said they were in support of the bill, she said it was particularly important to them to clarify these were not regulatory documents. She hoped they would keep that in the bill and vote do pass.

Byron Roberts, MT Building Industry Association said they felt this bill added extra flexibility to local governments and they supported the bill with Senator McGee's amendment.

Opponents' Testimony:

Tim Davis, Smart Growth Coalition handed out copies of HB 511, because he thought it addressed a lot of concerns that arose from this bill. **EXHIBIT(1os30a03)** He said it would be heard on Thursday in the House, and specifically addressed the concerns about not having enough time. He maintained there was already flexibility worked into this. He stated they supported leaving the statute as it was. He went through some of the sections of the bill they were concerned with. He said planning was good for the economy and for the communities and he did not want to see the growth policy law substantively changed. He also submitted a letter from Mary Sexton from Teton County. **EXHIBIT(1os30a04)**

Jennifer Magic, Gallatin County said she agreed with Tim Davis. She did not think the growth policy should be weakened. She thought it was a flexible planning tool, that was intended to be comprehensive. She thought HB 511, was a better bill to address the concerns.

Linda Stoll, MT Association of Planners said she did like that the sponsor had taken the voting requirements out, but she said they were adamant about not changing the laws right now, until everyone had a chance to get their feet wet, and get a good sense about what growth policy was. She said the one change they would support was extending the deadline. She hoped the committee would hold the growth policy legislation as close to the original as possible.

Anne Hedges, MT Environmental Information Center said there were parts of the bill that were fine but a number of areas that would be subject to the law of unintended consequences. She went through what she thought those would be. She said when you say

the definition of growth policy means existing comprehensive plans, master plans or comprehensive development plans that were passed before that date, it did not say whether those could be changed or amended. She wondered at what point you had to apply with the provisions of 601. She said you had to think about how much you could change these documents before they no longer resemble the original document. **Ms. Hedges** said they wanted to start to phase these growth policies in, and said HB 511 was a better way to do this. She said a lot of communities don't have subdivision regulations that are in accordance with their growth policies, she said everyone was in agreement that they needed to get away from planning through the subdivision law. She maintained they needed a comprehensive plan and a way to implement that plan that everyone could understand. She thought this bill could take away an important tool communities have in making their subdivision regulations match their growth policies. She was concerned with making the word "shall", "may" and also with making smaller growth policies for jurisdictional areas. She said she did not think that would allow for consistency, and the bill needed to be heavily amended and she thanked the committee for their time.

{Tape: 2; Side: A}

Questions from Committee Members and Responses:

SENATOR MIKE WHEAT asked if the sponsor knew the site of the attorney general's opinion.

SENATOR MCGEE said he did not.

SENATOR WHEAT asked if he had a copy of it.

SENATOR MCGEE replied he did not, but could probably get a copy.

SENATOR WHEAT asked Jerry Sorensen about the amendment he suggested to have a laundry list of requirements. He wondered if he had prepared any language that would be appropriate for such an amendment.

Jerry Sorensen said just what he had suggested earlier simply, "planning boards and governing bodies shall have full discretions to address the context in a manner the deem appropriate to their jurisdiction."

SENATOR WHEAT asked if it was his opinion that the laundry list should remain mandatory if the governing body was given discretion to go through it and make decisions based on what was best for their jurisdictions.

Jerry Sorensen replied yes he did.

SENATOR RICK LAIBLE said he noticed on page 4 after line 22 it gave some items that were discretionary. He wondered what the sponsors thoughts were about the laundry list being mandatory in some areas, and not in others. He said he was concerned that if there were no guidelines some counties would not be diligent to address the issues.

SENATOR MCGEE said one of the major considerations of this bill was to address the issue of local control. He said it had been his thought that what applies in one county may not apply in another. He said he wanted to see the local jurisdictions be able to talk about what was important in their counties. He said it was his contention that those entities that like to sue to stop projects use the open ended language in the current laundry list. He said if they made those things mandatory, who would say when those things had been met. He did not think if you made things mandatory you were giving local governments control to decided what was and was not in their best interest.

SENATOR LAIBLE said there had been some discussion about whether this should go to the voters, but he thought that might be addressed under which conditions an initiative would be called for in current statute.

SENATOR MCGEE said the way the law was currently drafted, it should go to the voters; the amendment that he was asking for made it discretionary.

Closing by Sponsor:

SENATOR MCGEE thanked the committee for the good hearing. He said he found it disconcerting that the opponents had not talked to him until today at 1:00. He said this was about SB 326 not about HB 511. He said when it comes to planning the more local control over the process the better. He said the legislature's attempt to create consistency and minimum requirements for growth policy was noble in intent but misguided. He said planing and land use regulation need to start from the bottom up. This bill puts the control back where it belongs, with the direct representatives of the people, the local government. He said the mandatory requirement in the current law had proved unworkable and unwarranted. He left the bill in the committees capable hands and offered his help. He wanted to work with the committee to make it the finest possible bill.

EXECUTIVE ACTION ON SB 112

Motion: SEN. BOHLINGER moved that SB 112 DO PASS.

Leanne Kurtz explained the amendments that were already on the bill and explained that Senator Mangan had an amendment he had asked her to prepare.

Motion: SEN. MANGAN moved that his Amendment DO PASS.

Discussion:

SENATOR MANGAN said he was concerned that the numbers were to low. He did not want to see the bill back every session to raise the amounts.

SENATOR BOHLINGER said he thought no amount of money was enough if it saved one of their family members. He thought the best equipments should be made available. He wondered what source of funding they were looking at.

SENATOR MANGAN said the purpose of the amendment was not to say for every bill that comes in they would pay \$10,000 and \$5,000. He said he would rather see it set at a maximum. He said then you would be reimbursed according to the rules or by how much money was available.

SENATOR BILL GLASER said he did this sort of thing. He said there were 100's of rescues every year. He wondered if you would totally fund the first few rescues or give some money to all the rescues. He said his unit did get \$4600 a year from the county. He said there would be a whole lot of operations out there that would be tickled to get the \$3,000 dollars for search and rescue in their area. He wanted to spread the money around as much as they could, so he was going to resist the amendment.

SENATOR MANGAN said he wanted it made clear, he said it was set up with the ability to set rules on how these funds would be reimbursed. He said all this does was raise the maximum amount, it did not say they had to pay \$10,000. It would go by what the rules said. He said it was not an attempt to deplete the fund quickly.

SENATOR WHEAT said he appreciated what **Senator Mangan** was trying to do. He said he did not care what the number was, but these people had helped draft the bill and they developed the number. He thought they picked the numbers for a particular reason. He said these numbers would be sufficient for them.

SENATOR MANGAN withdrew his motion.

SENATOR GEBHARDT gave the committee some information he had receive. **EXHIBIT(1os30a05)**

SENATOR LAIBLE said he appreciated where **SENATOR MCCARTHY** was coming from and all the hard work she had put into it. He maintained he had some problems with the bill. He said he did not think the problem about the Fish Wildlife and Parks Fees had been settled. He said he was concerned that they were taking the money and splitting it up in some manner through the Department of Military affairs. He said his problem was with the way the money was disbursed. He did not think it made good sense. He thought the fees should be collected and go back to the county for disbursement. He said this was real complex and he was not in favor of the bill.

{Tape: 2; Side: B}

SENATOR CAROLYN SQUIRES said she was afraid the little counties would not get their share. She said the big areas would generate the funds, and the funds should be dispersed evenly.

SENATOR BOHLINGER thought **Senator Gebhardt's** efforts to find a funding source should be congratulated. He said he was of the opinion that the money should be made available on a state wide basis as opposed to where the boats and snowmobiles were sold. He said it would not be fair to collect all the money in one county. He reiterated it should be shared on state wide basis.

SENATOR ESP said the good people of **Senator Bohlinger's** district usually came to his district to get lost or buried.

SENATOR MANGAN said he would support the bill. He said if he read the bill right, **Senator Bohlinger** could be stuck in **Senator Esp's** district somewhere, and get help from Yellowstone County, and Gallatin County, and they would get \$3,000. He thought that section was poorly written.

SENATOR ESP asked the committee to think about the amendment that removed the sentence on the bottom of page one and the top of page 2. He wondered if the total cost of the rescue was \$3,000 dollars and you allowed them to get reimbursed by another group for \$3,0000 dollars, probably wasn't fair.

SENATOR GLASER said all the search and rescues that go on in Montana in a year are probably 20 or 30 times more than the kind of money that was in the bill. He said this was just a small token to help these folks with their efforts. He said there was

another bill in the house HB 444, that if it passes it would significantly change the revenue source for this bill. He said if they were going to pass this bill, there needed to be contingency language that said if the other bill passes, this is the method we use. He said the reason they had held it up, and the reason he and Senator Gebhardt had gone down and talked to Mr. Kein was to try to come up with what numbers would be required to have such contingency language. So he maintained the committee had some decisions to make.

SENATOR ESP asked **Leanne** to comment on the contingency language that **SENATOR GLASER** was suggesting.

Leanne Kurtz said the bill did need to be moved as amended because the two amendments were still on the bill from the last executive session. She said as far as contingency language, she said they had been instructed by the code commissioner that in many cases it was premature to put coordinating contingency language on legislation. She said they had been advised, unless it was real clear that a bill would not be amended or it would not effect the contingency language, it was premature to be coordinating at this point. She said she could prepare an amendment that change the amounts, but she did not think there was a big risk of someone forgetting to coordinate them, it was just a matter of what point in the process.

Motion: **SEN. BOHLINGER** moved that **SB 112 DO PASS AS AMENDED.**

SENATOR WHEAT said he thought they should reconsider taking the language on the bottom of page 1 out, because of the chance of multiple counties being involved in a rescue. He said what would happen when you were trying to divvy out the \$3,000 to any county that had reimbursement from some other funds, would not qualify. He said it would allow the money to be spread out a little more among the counties that don't have any reimbursement.

SENATOR BOHLINGER said he did not know how many counties might have some sort of reimbursement plan, but he couldn't believe the people who administer the plan would allow for the opportunity for a double payment. If they see that the state now has a source of funding to reimburse up to \$3,000, he couldn't believe that their good management practice would allow for a double payment. He said he was not concerned about an opportunity for profiteering.

SENATOR GEBHARDT said the state puts a tax on aircraft fuel, and if an aircraft goes down, they provide aviation gas for search and rescue. He thought that was what was trying to be addressed

in this bill. He did not think the wording brought out the fact that there were other sources for funding.

SENATOR MANGAN said they could determine those type of things in rules. He asked **SENATOR WHEAT** if he was discussing putting that language back in the bill, or leaving it out.

SENATOR WHEAT said that was his thought, but now he was being persuaded that maybe they shouldn't put it back in.

SENATOR MANGAN said he thought it needed to be out for a different reason. He said the potential reimbursement issues should be addressed with rules.

SENATOR ESP said they should go ahead and vote on the bill.

Vote: Motion carried 9-2 with **GLASER** and **LAIBLE** voting no.

EXECUTIVE ACTION ON SB 168

Motion: SEN. GEBHARDT moved that SB 168 DO PASS.

Discussion:

SENATOR ESP said he had one concern. He asked what would happen if there wasn't any road on the edge of an annexation.

SENATOR GEBHARDT said when you file for a subdivision you have to provide streets and alleys in front and behind the lots. What has happened is they haven't always allowed the full street at the edge of the plat that you file. What happens is if the town stays a certain size and eventually builds out, then they have a thirty foot street right away in front of the lots, and on the other side it's county, so half of the street is city street and half is county road. He said that made an issue of who would maintain it. He said this bill would clean the issue up.

SENATOR BOHLINGER said this was a unique piece of legislation. They had seen seven people speak on behalf of this effort, he said it had been a very diverse group. He said there were no opponents, and they should not labor over this very long.

Vote: Motion carried 8-3 with **BLACK**, **ESP**, and **GLASER** voting no.

EXECUTIVE ACTION ON SB 191

Motion: SEN. BOHLINGER moved that SB 191 DO PASS.

Motion: SEN. MANGAN moved that AMENDMENT SB19101.ALS DO PASS.

Motion: SEN. MANGAN moved the AMENDMENT BE CHANGED TO INCLUDE THE ENTIRE LANGUAGE OF THE PREVIOUS AMENDMENT BUT STRIKE COUNTY ATTORNEY OR PEACE OFFICER.

Discussion:

SENATOR MANGAN said that was an amendment **SENATOR O'Neil** had worked out before the hearing on the bill. He said he had concerns about county attorneys and peace officers being represented at the table. So this would exclude them, and the senator was fine with that.

Vote: Motion carried unanimously.

Motion: SEN. BOHLINGER moved that SB 191 DO PASS AS AMENDED.

Discussion:

SENATOR MANGAN said after the hearing the department came to them and said they were attempting to utilize some medicaid funds that could potentially be used in abuse and neglect cases. With medicaid that information needed to be kept on file for a minimum of six years, and the bill said three years. He said Mr. Hunter from the department had explained to him in a memo that some of the information could be moved to a different file, but it would be up to one of the attorneys on the committee to look and see if the language would apply.

SENATOR CROMLEY said medicaid information would be contained in other files that would not be destroyed, he said this was just the information in the social worker's file.

SENATOR MANGAN said that was his question, does that explanation for need for service fall under the department destroying all the records concerning the unsubstantiated report.

SENATOR WHEAT said it seemed to him it would depend on how they opened their investigative files. He said if the file was opened with a report of child abuse, this bill would probably apply to whatever was in that investigative file. He said you would have to a legitimate reason for creating a separate file that you want to put information in that won't be destroyed.

{Tape: 3; Side: A}

SENATOR MANGAN said if there was any chance that this bill said they have to destroy a record that you can not destroy because of federal law, he did not think it was worth passing the bill. He said if they felt comfortable that they could get by, moving some information to a different file, he did not have a problem with it.

SENATOR WHEAT said he was concerned. He said given the financial condition of the state, if there was any change of losing medicaid funding for any reason, the bill should be amended to make sure that would not happen, or he could not in good conscience vote for the bill.

SENATOR SQUIRES asked where **SENATOR MANGAN** had receive the information about the medicaid problem.

SENATOR MANGAN replied **Mr. Hunter** at the Department of Health and Human Services. He said targeted case management uses medicaid dollars. He said the department was trying to use targeted case management with some abuse and neglect cases which could have happened from the onset of a report of child abuse. The concern was if that happened, a report had to be kept for six years, and this bill said if it was an unsubstantiated report it would be deleted after three years. They did not want to jeopardize medicaid funding.

SENATOR SQUIRES said she was confident that the purpose of this bill could still be served while still maintaining the medical records that may be needed. She said she would be happy to work with the department of that issue. She thought that they could apply for a waiver from the medicaid program.

SENATOR ESP said Mr. Hunter's memo did say that no information on the allegations or names of parents would be required in the file retained for targeted case management.

Leanne Kurtz suggested that you could put language in that said the department may not destroy any information that is required to be retained or maintained for the purposes of obtaining federal funding. Then the requirement to destroy the records in subsection c(i) would be subject to that knew language.

SENATOR MANGAN asked if you could just clarify that was medical records.

Leanne Kurtz said if they thought that would accomplish the same thing.

SENATOR MANGAN said he did not know if he wanted to put in law something that jeopardizes federal funds, but if you exempted medical records formed as a result of a case could remain.

SENATOR Cromley said the only thing that would be in the social workers file would be copies of medical records. He said the originals would always be with the medical providers. He said it seemed to him that the social worker could destroy their files, because the source of those records would still be with the medical provider.

SENATOR MANGAN said the medical records they were talking about were the departments, he did not think they would necessarily be at a hospital or doctors office. He said they used the term medical records because of the medicaid dollars attached to that service. He said the record would actually be at the department, thus one of the concerns. If that service was put in there immediately because of a report of possible abuse or neglect, it is not inconceivable that there would be notes in the file that these services were provided for a, b, c, and d, and then ten days later the report could be unsubstantiated but those services could still be seen in the file. He said that information then could be moved to a medical file to be retained for six years. He said it was not an actual medical file per se. He hoped he hadn't confused them.

SENATOR ESP said he was satisfied with the amendment. He was open to what the committee wished to do.

SENATOR LAIBLE asked if they could go back to what **Leanne Kurtz** had said about not including medical records.

Motion: **SEN. MANGAN** moved that the **CONCEPTUAL AMENDMENT DO PASS.**

Leanne Kurtz said the amendment would read, "shall destroy all of the records except for medical records concerning the unsubstantiated report."

SENATOR WHEAT made it clear that they were voting on the amendment.

Vote: **Motion carried unanimously.**

Motion/Vote: **SEN. WHEAT** moved that **SB 191 DO PASS AS AMENDED.**
Motion carried unanimously.

EXECUTIVE ACTION ON SB 246

Motion: SEN. GLASER moved that SB 246 DO PASS.

Discussion:

SENATOR GLASER said there was an amendment. He said it had been perused by the city and county governments, and they said that it would do what they want to do. He said they simply wanted the fire service area to drop off by a simple vote of the commissioners and eliminate double taxation.

SENATOR SQUIRES asked if **Alec Hansen** was in favor of the amendment.

SENATOR GLASER replied he had come up with the amendment.

Motion/Vote: SEN. GLASER moved that AMENDMENT SB24601.ALK DO PASS. Motion carried unanimously.

Motion/Vote: SEN. GEBHARDT moved that SB 246 DO PASS AS AMENDED. Motion carried 9-1 with ESP voting no.

EXECUTIVE ACTION ON SB 288

Motion: SEN. MANGAN moved that SB 288 DO PASS.

Motion: SEN. MANGAN moved that AMENDMENT SB28801.ALK DO PASS.

Discussion:

SENATOR MANGAN explained the amendment allowed counties to have up to four people on the county compensation board.

SENATOR GEBHARDT said it was a good amendment.

Vote: Motion carried unanimously.

Motion: SEN. MANGAN moved that SB 288 DO PASS AS AMENDED.

Motion: SEN. MANGAN moved that SB28802.ALK DO PASS.

Discussion:

SENATOR MANGAN said this clarified legislative intent.

Vote: Motion carried unanimously.

Motion/Vote: SEN. MANGAN moved that SB 288 DO PASS AS AMENDED.
Motion carried unanimously.

EXECUTIVE ACTION ON HB 238

Motion/Vote: SEN. LAIBLE moved that HB 238 BE CONCURRED IN.
Motion carried unanimously.

EXECUTIVE ACTION ON HB 94

Motion: SEN. GLASER moved that HB 94 BE CONCURRED IN.

Motion/Vote: SEN. GLASER moved that AMENDMENT HB09401.ALK DO
PASS. Motion carried unanimously.

Motion/Vote: SEN. GLASER moved that HB 94 BE CONCURRED IN AS
AMENDED. Motion carried 9-1 with CROMLEY voting no.

EXECUTIVE ACTION ON SB 325

Motion/Vote: SEN. GEBHARDT moved that SB 325 DO PASS. Motion
carried unanimously.

ADJOURNMENT

Adjournment: 5:20 P.M.

SEN. JOHN C. BOHLINGER, Chairman

PHOEBE OLSON, Secretary

JB/PO

EXHIBIT (los30aad)